

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**UNITED STATES OF AMERICA**

**V.**

**JOHN JENNINGS**

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)  
)

**CASE NO: 3:06-cr-126-WHA**

**UNOPPOSED MOTION TO CONTINUE TRIAL**

**NOW COMES** the Defendant, **JOHN JENNINGS**, by undersigned counsel, pursuant to 18 U.S.C. 3161 §§ (h)(8)(A) and (h)(8)(B), and respectfully moves the Court for an Order continuing this matter from the February trial term. In support of this motion, the Defendant would show the following:

1. Both parties agree that Mr. Jennings has mental health limitations. The parties fully expect that this case will not proceed to trial.
2. Presently, based on the statute charged, Mr. Jennings faces a mandatory minimum sentence of not less than five (5) years.
3. In order to further assess a proper placement for Mr. Jennings' mental health limitations and his potential physical limitations and liability in prison, undersigned counsel would like one more continuance to obtain all necessary documentation to supply to the Bureau of Prisons.
4. This information may also be relevant to the formulation of a potential plea agreement.

5. Based on the time limits established by the current trial order, there is an inadequate amount of time to conduct a thorough investigation of Mr. Jennings' mental health limitations, his age level of achievement in all levels of adaptability, potential facilities and obtaining records from various institutions.

6. Due to the unusual and complex nature of the offense, undersigned counsel would also like time to consult a supervising attorney concerning a potential resolution.

7. The United States, through Assistant United States Attorney Susan Redmond, does not oppose this request.

8. The ends of justice will be served by the granting of a continuance.

**WHEREFORE**, for the reasons set forth above, the Defendant moves this Court to issue an Order continuing the February 11, 2008 trial date.

Dated this 1<sup>st</sup> day of February, 2008

Respectfully submitted,

s/ Aylia McKee  
AYLIA MCKEE  
Assistant Federal Defender  
201 Monroe Street, Suite 407  
Montgomery, Alabama 36104  
Phone: (334) 834-2099  
Fax: (334) 834-0353  
E-mail: aylia\_mckee@fd.org  
ASB-6178-A39M

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 1, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Susan Redmond, Esq.  
Assistant U. S. Attorney  
One Court Square, Suite 201  
Montgomery, AL 36104

Respectfully submitted,

s/ Aylia McKee  
AYLIA MCKEE  
Assistant Federal Defender  
201 Monroe Street, Suite 407  
Montgomery, Alabama 36104  
Phone: (334) 834-2099  
Fax: (334) 834-0353  
E-mail: aylia\_mckee@fd.org  
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